IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO.76 OF 2007

Narayan Shankar Dharne ...Applicant

Versus

Mrs Mala @ Malathi Ghatge ...Respondent

Shri Deepak Jadhav for the Applicant.
Shri Raj Patel i/by Shri M.P. Patel for the Respondent.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 25, 2007.

P.C.:

1. The learned Advocate for the revision Applicant states that revision Applicant is personally present in the Court. The learned Advocate for the revision Applicant on instructions of the Applicant states that he is not pressing the revision Application on merits. He, however, submits that considering the fact that the revision Applicant is occupying the suit premises for last several years, longer time to vacate may be granted. Prayer for grant of longer time is opposed by the learned Advocate for the Respondent.

2. Considering the fact that the Applicant is not pressing the revision Application on merits and considering the fact that he is occupying the suit

premises for last several years, longer time deserves to be granted subject to filing usual undertaking to vacate by all adult members of the family of the Applicant.

3. Hence, I pass the following order:

(i) Revision Application is dismissed as not pressed with no orders as to costs.

(ii) Notwithstanding the dismissal of the revision Application, the decree for possession shall not be executed till 30th April, 2008 subject to revision Applicant and all his adult family members filing usual undertaking to vacate in this Court within a period of four weeks from today. If undertaking is not filed within the stipulated time, the decree for possession will forthwith become executable.

(iii) Parties to act upon an authenticated copy of this order.

JUDGE